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Application No.: 10/501,624
Art Unit: 1734

Remarks

Claims 21-23, 33 remain pending in the application. Claims 1-20 and 24-32 are cancelled. In the Office action dated May 16, 2006, claim 21 was rejected as unpatentable over Tooker in view of Reckziegel. Claims 22-23 are allowed.

Claim 21, as amended, now clearly distinguishes over Tooker (US 5,417,797) where the book block is positioned above the coating cylinder. The amendment is based on "The rotating applicator rod 140 forms here a curved second inclined surface." The penultimate sentence of paragraph [0046] of the application. And further based on FIG. 4. "From the viewpoint of the invention, the evening-out apparatus can comprise a continuous inclined surface that slopes straight down or an inclined surface that slopes down in the form of a broken line and which has several portions of different inclinations." The fourth sentence of paragraph [0049] makes clear that the applicator rod is meant to form an inclined surface which descends to the moving surface.

New claim 33 is based on claim 21 wherein the generic term "a moving surface" which the examiner reads on the book spine of Tooker with the specific term "moving web" which cannot be read on Tooker. "Web" is used throughout the specification as a particular case of the more generic term moving surface. Paragraph [0033] in the penultimate sentence states "The moving surface 200 may be a web to be treated....". Although paragraph [0033] specifically refers to FIG. 2, the same reference number 200 is used in FIG. 4, which illustrates the embodiment to which claim 33 is directed.

Applicant believes that no new matter has been added by this amendment.

Applicant submits that the claims, as amended, are in condition for allowance. Favorable action thereon is respectfully solicited.

Respectfully submitted,



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